

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Axel HUEGLE et al.

Serial No.: 10/554,419

Filed: October 24, 2005

For: Operating Device

Examiner: Smith, Matthew J.

Group Art: 3635

Conf. No.: 5176

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

S I R:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated September 14, 2009 of the Primary Examiner twice or finally rejecting claims 16-19 and 21-28

The items checked below are appropriate:

1. ☒ The time for response to the Final Office Action of September 14, 2009 expires on March 14, 2010.
2. ☐ A -month extension of time for response to the Office Action dated was filed on . [No additional extensions of time are required.]
- 3a. ☒ Applicant hereby request a three-month extension of the original shortened statutory response period set in the Final Office Action of September 14, 2009. Payment in the amount of \$ 1,110 for the government fee for an extension of time is included with the appeal fee.

- 3b. ☐ This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated . Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be . Payment for the additional extension fee of \$ is enclosed.
4. ☒ Payment of the appeal fee and extension fee of \$1,650
☐ is enclosed herewith.
☐ No additional fee is required (fee paid in prior appeal).
☒ Charge the fee to Deposit Account No. 03-2412.
5. ☒ Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid, to Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

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Dated: March 15, 2010